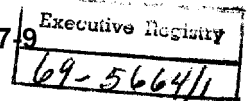


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OLC 69-0953
14 November 1969

MEMORANDUM FOR THE RECORD

SUBJECT: Second Phone Call From John Lehman, of Dr. Kissinger's Staff, Re Director's Possible Appearance Before Senator Symington's Subcommittee on 17 November 1969

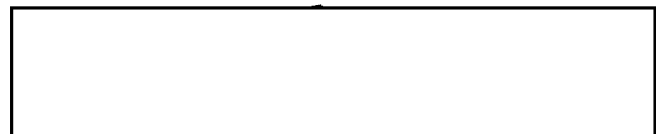
1. Shortly after 3:00 p.m., I received a call from Mr. Lehman informing me that the Director would be testifying jointly with Ambassador Unger before Senator Symington's Subcommittee on U.S. Security Agreements and Commitments Abroad at 10:00 a.m. on Monday, 17 November. Mr. Lehman said he would like to know whether Mr. Maury would be accompanying the Director and also wished to request, on behalf of the White House, a short memorandum containing a rundown on the hearing after the Director appears.

2. I advised Mr. Lehman that his call to Mr. Maury had been our only information about a possible appearance and pointed out that we had not been approached by the Symington Subcommittee. He said he expected that we would receive a request from the Subcommittee.

3. In the interest of avoiding any confusion I asked Mr. Lehman if we were in agreement that his call was merely an alert to us and that we were not expected to do anything on this until such time as we received a call from the Subcommittee. He said that was correct and added that "we (the White House) are not, obviously, in the act." I also pointed out to Mr. Lehman my understanding that the Director had a commitment to be at the White House for a briefing of the Congressional leadership at 8:00 a.m. and that an appearance before the Symington Subcommittee would obviously conflict with that. Mr. Lehman indicated vague awareness of the leadership meeting and said that this would naturally take precedence over any request from the Hill.

4. I told Mr. Lehman I would advise the Director of our conversation.

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Deputy Legislative Counsel

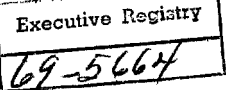
Distribution:

Orig. - Subject (via The Director)

1 - DDCI	1 - C/FE
1 - ADDP	1 - Chrono

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14 November 1969

MEMORANDUM FOR THE RECORD

SUBJECT: Phone Call from John Lehman, of Dr. Kissinger's Staff,
Re Director's Possible Appearance Before Symington
Subcommittee on 17 November 1969

1. This morning I called Mr. Lehman in response to his call to the Director's office inquiring about the ground rules governing the Director's 28 October appearance before the Symington Subcommittee on U.S. Security Agreements and Commitments Abroad.

2. Mr. Lehman said he understood the Director was scheduled to appear, jointly with Ambassador Unger, before the Symington Subcommittee on Monday, 17 November. He said this raised a problem, since the Subcommittee presumably intended to "take what the Director says and bounce it off Unger" so as to get it in the public record.

3. I said I didn't know that the Director's appearance had been scheduled and asked if this was firm. Mr. Lehman said it apparently hadn't been checked out with Senator Fulbright but he thought this was the plan, although it might slip until Tuesday.

4. In response to Mr. Lehman's question about the ground rules of the Director's earlier appearance, I said they had been worked out between the Director and Symington as follows:

a. Although [] had been brought back from Vientiane at the Subcommittee's request, he was not to be called as a witness but would be present in the event the Director wished to refer questions to him.

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b. Only a single, classified transcript was to be made which was to remain in the custody of the Agency and be made available on call to the Subcommittee members and staff.

c. None of the Director's testimony was to be made public.

d. The only other Agency officer present was myself who took no part in the discussion.

5. Mr. Lehman asked what Subcommittee staff personnel were present and seemed surprised when I replied that Messrs. Marcy, Holt, Kuhl, Pincus and Paul were all present for some or all of the hearing.

6. Mr. Lehman said that these ground rules were in accord with White House wishes and should in no circumstances be relaxed. He said that Unger would be clearly instructed to observe them during his participation.

7. In conclusion Mr. Lehman said that "if there is any question when you get there" regarding the ground rules we should immediately get in touch with Lehman or General Haig.

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JOHN M. MAURY
Legislative Counsel

Distribution:

Original - Subject (via DCI)

- 1 - DDCI
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